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SUBJECT: KAZAKHSTAN: VERDICT IN HIV OUTBREAK TRIAL

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¶1. (SBU) Summary: A court in South Kazakhstan sentenced seventeen medical workers to prison terms of up to five years for their roles in infecting over 100 children with HIV. Four senior health officials, including the former head of the South Kazakhstan's Region health department Nursulu Tasmagambetova, received suspended sentences. The families of the infected children expressed outrage at the verdict, calling the sentences too lenient. Largely in response to the HIV outbreak in Shymkent, Kazakhstan has taken steps to improve its blood transfusion practices. While the reform is sorely needed, the trial in Shymkent demonstrated that simple corruption is often the cause of Kazakhstani medical malpractice. End summary.

An Unpopular Verdict

¶2. (U) On June 27, a South Kazakhstan court convicted 21 health care workers of negligence for their roles in an HIV outbreak in Shymkent. At least 118 children in the region have been infected as a result of transfusions of contaminated blood or through the use of unsterilized medical equipment (Reftel). Ten of the infected children have died. Seventeen medical workers were sentenced to jail terms ranging from nine months to five years. Four senior health officials, including former regional health department head Nursulu Tasmagambetova, received suspended sentences.

¶3. (SBU) Families of the infected children attacked the verdict, which marked the end of a trial that started in January. The families were particularly critical of the suspended sentences for senior officials. One parent told the local media that "those who got suspended sentences are the most senior ones and thus most responsible for all this." Forty medical workers in Shymkent also gathered in protest after the verdict. According to one speaker, "if Tasmagambetova has been given a suspended sentence, then others should have been released. She was the manager and the rest subordinates." (Comment: Former regional health department chief Nursulu Tasmagambetova is the sister of influential Almaty mayor Imangali Tasmagambetov. Before the trial, several sources predicted to Poloff that Tasmagambetova would receive a light sentence because of her connections. While her sentence may be a fair result in a case centered on low level corruption, many Kazakhstanis will view the verdict as further evidence of a two tiered system of justice.)

Outbreak Spurs Reform, but Problems Deep-Rooted

¶4. (U) The HIV outbreak in Shymkent spurred Kazakhstan to reassess and improve its blood safety and transfusion procedures. Investigations conducted across the country revealed that all 28 of the country's blood centers violated legal standards. According to the director of the Republican Blood Center, 60 to 85% of the equipment at the centers is defunct. Kazakhstan has since announced plans to launch a new safe blood transfusion program at a cost of 32 billion tenge (approximately \$2.5 million). The program calls for the resupply and reequipping of existing blood centers and the construction of several new centers, and a blood processing plant in Almaty.

¶5. (U) While systematic reform is necessary, an underlying cause of the Shymkent outbreak was corruption. According to prosecutors, local doctors, who earn an average of \$175 a month, charged \$30 for blood transfusions, sharing the profits between doctors and local blood banks. Unnecessary blood transfusions have thus become a source of income for corrupt doctors. One eight month old child in Shymkent received 24 blood transfusions, prescribed only to boost the child's immunity.

¶6. (SBU) Comment: The HIV outbreak in Shymkent serves as a reminder that beyond the booming oil profits and glitz and glamour of Astana and Almaty, many Kazakhstanis still lack access to basic necessities like decent health care. The GOK appears to understand the problem, and has announced plans to spend at least 4% of its GDP on public health in 2008-2010.

End comment

MILAS